

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** CHAIRMAN JOE BALYEAT, on January 14, 2009 at 8 A.M., in Room 422 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Joe Balyeat, Chairman (R)  
Sen. Verdell Jackson, Vice Chairman (R)  
Sen. Roy Brown (R)  
Sen. Jim Keane (D)  
Sen. Carolyn Squires (D)  
Sen. Sharon Stewart-Peregoy (D)  
Sen. Joseph (Joe) Tropila (D)  
Sen. Jonathan Windy Boy (D)

**Members Excused:** Sen. Gregory D. Barkus (R)  
Sen. Jim Peterson (R)  
Sen. Donald J. Steinbeisser (R)

**Members Absent:** None.

**Staff Present:** Linda Keim, Committee Secretary  
Pat Murdo, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 75, SB 137, SB 138, SB 144, SB 145, 1/7/2009

Executive Action: SB 144

**HEARING ON SB 144**

**Opening Statement by Sponsor:**

00:03:00 SEN. RICK LAIBLE (R), SD 44, opened the hearing on SB 144, Building standards for residences in wildland-urban interface.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:07:19 Sen. Tropila

00:07:26 Sen. Laible

**Closing by Sponsor:**

00:07:51 Sen. Laible

00:07:55 Sen. Jackson left the room.

**EXECUTIVE ACTION ON SB 144**

00:08:00 **Motion/Vote:** Sen. Squires **MOVED SB 144 BE TABLED.**  
Motion carried unanimously by voice vote, 7-0.

**HEARING ON SB 145**

**Opening Statement by Sponsor:**

00:09:04 SEN. RICK LAIBLE (R), SD 44, opened the hearing on SB 145, Premium discounts in wildland-urban interface for certain property.

**Proponents' Testimony:**

00:15:18 John Mudd, State Auditor's Office

00:16:36 Richard Van Aucken Teton County Fire Chief

00:18:09 Pat Mc Kelvey, Board Member, Fire Safe Montana

**Opponents' Testimony:**

00:20:01 Greg Van Horssen, State Farm Insurance Company

00:23:58 Jon Metropoulos, Farmers Insurance Group

00:25:09 Sen. Barkus arrived

00:27:25 Sen. Jackson returned

00:26:55 Bruce Spencer, Property Casualty Insurers Association  
**EXHIBIT (bus08a01)**

00:31:37 Jaqueline Lenmark, American Insurance Association (AIA)  
00:34:42 Roger Mc Glenn, former Director Independent Insurance  
Agents Association of Montana (IIAA), representing same  
at their request

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:36:53 Sen. Brown  
00:38:26 Sen. Laible  
00:38:45 Chairman Balyeat  
00:38:51 Pat Murdo, Legislative Services Division (LSD)  
**EXHIBIT (bus08a02)**

00:40:09 Chairman Balyeat  
00:40:55 Sen. Keane  
00:41:24 Mr. Spencer  
00:41:38 Chairman Balyeat  
00:43:20 Mr. Spencer

**Closing by Sponsor:**

00:43:37 Sen. Laible

**HEARING ON SB 75**

**Opening Statement by Sponsor:**

00:49:43 **SEN. RICK LAIBLE (R), SD 44**, opened the hearing on **SB 75**, Include homeowner responsibility in state fire policy.

**Proponents' Testimony:**

00:53:14 Pat Mc Kelvey, Board Member, Fire Safe Montana  
00:54:29 Richard Van Aucken, Teton County Fire Chief

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:55:27 Sen. Tropila  
00:55:33 Pat Mc Kelvey

00:56:02 Sen. Barkus  
00:57:43 Sen. Laible  
  
00:58:18 Sen. Steinbeisser entered the room.  
  
00:58:28 Sen. Jackson  
00:59:37 Sen. Laible  
01:00:02 Chairman Balyeat  
01:00:31 John Mudd, State Auditor's Office  
01:01:11 Chairman Balyeat  
01:01:36 Jacqueline Lenmark, AIA  
01:02:51 Sen. Windy Boy  
01:03:22 Sen. Laible  
01:04:51 Sen. Barkus  
01:05:19 Pat Murdo, LSD  
01:06:22 Chairman Balyeat

**Closing by Sponsor:**

01:06:30 Sen. Laible

**HEARING ON SB 137**

**Opening Statement by Sponsor:**

01:07:47 **SEN. KEN (KIM) HANSEN (D), SD 17**, opened the hearing on **SB 137**, Require insurers to notify insured of wildland-urban interface best practices.

**Proponents' Testimony:**

01:10:13 John Mudd, Executive Counsel, Auditor's Office  
01:12:48 Pat Mc Kelvey, Board Member, Fire Safe Montana  
01:14:20 Richard Van Aucken, Teton County Fire Chief

**Opponents' Testimony:**

01:15:27 Roger Mc Glenn, Independent Insurance Agents of America  
01:17:33 Chairman Balyeat  
01:17:40 Jon Metropoulos, Farmers Insurance Group  
01:19:55 Bruce Spencer, Property Casualty Insurers Association  
01:21:49 Rick Van Horssen, State Farm Insurance Company  
01:22:05 Jacqueline Lenmark, AIA

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:22:45 Sen. Keane  
01:23:12 Mr. Spencer

01:23:51 Sen. Barkus  
01:24:36 Sen. Hansen  
01:25:00 Chairman Balyeat

**Closing by Sponsor:**

01:25:16 Sen. Hansen

**HEARING ON SB 138**

**Opening Statement by Sponsor:**

01:26:07 **SEN. KEN (KIM) HANSEN (D), SD 17**, opened the hearing on **SB 138**, Insurance Commissioner review of property insurers for fire protection purposes.

01:27:14 Sen. Keane left the room.

**Proponents' Testimony:**

01:27:35 John Mudd, State Auditor's Office  
01:30:37 Chairman Balyeat  
01:30:57 Pat Mc Kelvey, Board Member, Fire Safe Montana  
01:33:00 Richard Van Aucken, Teton County Fire Chief

**Opponents' Testimony:**

01:33:58 Greg Van Horssen, State Farm Insurance Company  
01:36:39 Chairman Balyeat  
01:36:53 Jon Metropoulos, Farmers Insurance Group  
01:37:14 Bruce Spencer, Property Casualty Insurers Association  
01:37:37 Jacqueline Lenmark, AIA

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:39:17 Sen. Brown  
01:39:58 Mr. Mc Kelvey

**Closing by Sponsor:**

01:42:05 Sen. Hansen  
  
01:42:49 Recess  
01:53:21 Reconvene

01:53:27 Sen. Squires

01:53:34 Sen. Keane

**EXECUTIVE ACTION ON SB 127**

01:54:08 **Motion:** Sen. Squires **MOVED SB 127 DO PASS.**

01:54:25 **Motion:** Sen. Keane **MOVED TO AMEND SB 127.**

**EXHIBIT** (bus08a03)

**Discussion:**

01:55:12 Ms. Murdo, LSD

01:59:11 Sen. Brown

01:59:20 Ms. Murdo

01:59:29 Chairman Balyeat

02:00:37 Ms. Murdo

02:01:06 Chairman Balyeat

02:01:44 Sen. Barkus

02:03:46 Ms. Murdo

02:04:04 Chairman Balyeat

02:04:47 Sen. Barkus

02:05:07 Chairman Balyeat

02:05:48 John Mudd, State Auditor's Office

02:06:59 Sen. Stewart-Peregoy

02:07:28 Chairman Balyeat

02:07:46 Sen. Keane

02:08:36 Ms. Murdo

02:09:12 Sen. Keane withdrew his motion on the amendment without objection.

02:09:20 Chairman Balyeat

02:09:47 Sen. Squires

02:11:03 Chairman Balyeat

02:11:53 Sen. Squires withdrew her motion on SB 127 without objection.

02:12:16 Mr. Mudd

02:12:39 Sen. Barkus

**ADJOURNMENT**

Adjournment: 10:15 A.M.

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LINDA KEIM, Secretary

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Additional Exhibits:

**EXHIBIT ([bus08aad.pdf](#))**